

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior listings of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) An apparatus ~~for~~ capable of detecting either or both of that an endo-tracheal tube ~~for~~ ventilation is placed correctly in a recipient or alternatively that an endo-tracheal tube for ventilation is placed incorrectly in a recipient, the apparatus comprising the following elements:

- (i) a processing unit for detecting impedance amplitude changes;
- (ii) a measuring unit comprising at least two measuring electrodes for measuring the impedance of a body, the measuring unit being in communication with the processing unit;
- (iii) a power source for the apparatus; and
- (iv) a display or alarm device;;

wherein, in use, a correct placement of the endo-tracheal tube in a recipient upon ventilation is indicated by the processing unit by detecting a significant change ~~in the~~ in the impedance amplitude and the incorrect placement of the endo-tracheal tube in a recipient upon ventilation is indicated by the processing unit by detecting a change in the impedance amplitude that is below a specified threshold level, and further wherein during use of said apparatus the change in the impedance amplitude is shown on the display or is indicated by the activation of the alarm.

2 (Previously Presented) The apparatus as claimed in claim 1 wherein, in use, a correct placement of the endo-tracheal tube is indicated by the processing unit identifying a significant change in the impedance amplitude above a specified threshold level and/or an incorrect placement of the endo-tracheal tube is indicated by the processing unit)by identifying a change in the impedance amplitude below the said specified threshold level, and the change in the impedance amplitude is shown on the display or is indicated by the activation of the alarm.

3. (Original) An apparatus as claimed in claim 1 or claim 2 wherein, the specified threshold level is an impedance amplitude of 0.5 ohms.

4. (Currently Amended) An apparatus programmed to indicate the placement of an endotracheal tube for ventilation, the apparatus comprising the following elements:

a processing unit for identifying impedance changes upon ventilation;

a measuring unit comprising at least two measuring electrodes for measuring the impedance of a body, the measuring unit being in communication with the processing unit;

a power source for the apparatus; and

a display or alarm device,

wherein the processing unit is programmed to identify impedance changes above a specific threshold value. and wherein the processing unit is programmed to receive an impedance measurement value, and to identify if the impedance value is equal to or greater than the specific threshold value, and further is programmed such that if the specified threshold value is not reached then the processing unit will activate either or both the alarm device and or the display device thereby indicating incorrect intubation of an endo tracheal tube in a recipient.

5. (Cancelled)

6. (Previously Presented) An apparatus as claimed in claim 4 wherein, the processing unit is programmed to carry out the following steps:

receive a first impedance measurement value,

identify if there is a threshold value, if there is no threshold value adopt the first impedance measurement value as the threshold value,

receive a second impedance measurement value and

then identify if the impedance value is equal to or greater than the specified threshold level, if the threshold value is not reached then the processing unit will activate at least one of the alarm device and the display device to indicate incorrect intubation.

7. (Previously Presented) An apparatus as claimed in claim 4 wherein the processing unit comprises a memory unit for the storage of measured, calculated and threshold values.

8. (Previously Presented) An apparatus as claimed in claim 4 wherein the processing unit comprises an "on/off" switch or a three position switch comprising a first "off" position, a second "single measurement" position, and a third "monitoring" position.

9. (Previously Presented) An apparatus as claimed in claim 4 wherein the processing unit is programmed to identify impedance changes which are significantly above a specified threshold value which is 0.5 ohms.

10. (Previously Presented) An apparatus as claimed in claim 4 wherein the processing unit operations are repeated over a period of time in order to monitor the placement of the endotracheal tube for ventilation.

11. (Previously Presented) An apparatus as claimed in claim 4, wherein the alarm device comprises at least one of a sound emitting device and a light emitting device.

12. (Previously Presented) An apparatus as claimed in claim 4 wherein the apparatus further comprises a user interface is adapted for inputting reference thoracic impedance values, threshold impedance values, and/or patient characteristics to the processing unit.

13. (Previously Presented) An apparatus as claimed in claim 4, wherein the apparatus is adapted for integration in a defibrillating device.

14. (Previously Presented) An apparatus as claimed claim 4 wherein the apparatus further comprises an endo-tracheal tube for ventilation.

15-17. (CANCELED)

18. (Currently Amended) An apparatus for detecting the placement of an intubation tube in a recipient, the apparatus comprising:

a source for providing a threshold value of thoracic impedance for said patient

a measuring unit comprising at least two electrodes, for measuring a thoracic impedance of said patient

a display for displaying said threshold value and the measured thoracic impedance;

wherein the an indication of placement of an intubation tube is shown on said display as a change in said measured thoracic impedance as compared to said specified threshold value.

19. (Previously Presented) The apparatus of claim 18, wherein an increase in measured thoracic impedance as compared to the threshold value indicates a correct placement of the intubation tube in a recipient.

20. (Previously Presented) The apparatus of claim 18, wherein an decrease in measured thoracic impedance as compared to a specified threshold value indicates an incorrect placement of the intubation tube in a recipient.

21. (Previously Presented) The apparatus of claim 18, wherein no change in measured thoracic impedance as compared to a specified threshold value indicates an incorrect placement of the intubation tube in a recipient.

22. (Previously Presented) The apparatus of claim 18, wherein no change in measured thoracic impedance as compared to a specified threshold value indicates an correct placement of the intubation tube in a recipient.

23. (Previously Presented) The apparatus of claim 18, wherein said source is a memory unit.

24. (Previously Presented) The apparatus of claim 18, wherein said source is an input into a user interface.

25. (Previously Presented) The apparatus of claim 18, wherein said threshold value is a measured value.

| 2726. (Previously Presented) The apparatus of claim 18, wherein said threshold value is a calculated value.

| 2827. (Previously Presented) The apparatus of claim 18, wherein said threshold value is a reference value.

| 2928. (Previously Presented) The apparatus of claim 18, wherein the apparatus further includes an endo-tracheal tube.

| 30.~~35~~ 29-34. (originally miss-numbered as claims 30-35) (CANCELED)